

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ernest Paul Terry,

Civil No. 08-1059 (PJS/SRN)

Plaintiff,

v.

ORDER

Dwight Fondren,

Defendants.

Ernest Paul Terry, Federal Correctional Institute Sandstone, Sandstone, Minnesota 55072, pro se.

Erika Mozangue, United States Attorney's Office, 300 South 4th St., Minneapolis, Minnesota 55415, for Respondent.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that Petitioner Ernest Paul Terry's application for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Docket No. 1) is **DENIED** and Petitioner's action is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 11/24/08

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge